

KOERNER & OLENDER, P.C.

Attorneys at Law
5809 Nicholson Lane, Suite 124
North Bethesda, Maryland 20852-5706

Tel. (301) 468-3336
Fax (301) 468-3343

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Robert L. Olender *
James A. Koerner

Of Counsel
Robert Bennett Lubic*

*not admitted in MD

December 26, 2001

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DEC 26 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

HAND DELIVERY

Magalie Roman Salas, Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, S.W.
Washington, D.C. 20554

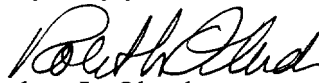
Re: Community Television Educators
Petition for Rulemaking
Facility ID No. 127317, Ogden, Utah
Reply No. 2-A726

Dear Ms. Salas:

Transmitted herewith, on behalf of Community Television Educators, applicant in the above-referenced proceeding, are an original and four (4) copies of its Petition for Reconsideration of the staff's denial of its Petition for Rulemaking.

Should further information be desired in connection with this matter, please communicate with this office.

Very truly yours,



Robert L. Olender
Counsel for
Community Television Educators

RLO/mp

Enclosures

cc: Clay C. Pendarvis, Chief Television Branch, FCC

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**Before the
Federal Communications Commission
Washington, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re)	
)	
Petition for Rulemaking)	MM Docket No. _____
)	RM - _____
Community Television Educators)	
Amending the TV Table of Allotments)	
)	
Substitute FCC Channel 54 for)	Facility ID No. 127317
Channel 18, Ogden, Utah)	

To: Chief, Television Branch
Video Services Division

PETITION FOR RECONSIDERATION

Community Television Educators ("CTE"), Petitioner in the above-referenced proceeding, through counsel and pursuant to Section 1.429 of the Commission's Rules and Regulations herein, petitions for reconsideration of the staff's decision of December 7, 2001, dismissing it's Petition for Rulemaking seeking to substitute NTSC Channel 54 for existing Channel 18 at Ogden, Utah. In support thereof, the following is shown:

The Commission, in its dismissal letter, stated that "since you did not include any technical parameters or interfering studies for your proposal, we are unable to review your petition or determine the acceptability of your proposed allotment change." CTE did, in fact, file the technical parameters/interference studies with the Commission on January 24, 2001, at the

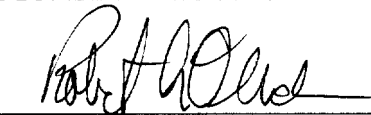
request of FCC Supervisory Engineer, Gordon Godfrey. Mr. Godfrey had requested this information after July 17, 2000. He had advised CTE's Consulting Engineer that this information normally would not have been necessary in the petition stage, but that the FCC was now requesting it for assistance with other engineering determinations. It was filed in a timely manner by CTE. A copy of that is attached hereto as Appendix A, together with an Engineering Statement verifying the filing. Therefore, the Commission was in error when it stated that this data was not timely submitted for Commission review.

ACCORDINGLY, CTE requests that the Commission review this data and, based upon the information submitted therein, approve the Petition for Rulemaking and substitute Channel 54 for existing NTSC Channel 18 at Ogden, Utah.

Respectfully submitted,

COMMUNITY TELEVISION EDUCATORS

By: _____



Robert L. Olender
Its Attorney

December 26, 2001

Koerner & Olender, P.C.
5809 Nicholson Lane
Suite 124
North Bethesda, MD 20852
(301) 468-3336

APPENDIX A

ENGINEERING STATEMENT

Declaration Statement
Ogden, Utah
Channel 54
Petition for Reconsideration
By WES, Inc. Broadcast Consultants

I, Pete E Myrl Warren, III, declare and state that I am a Certified Broadcast Engineer, by the National Association of Radio and Television Engineers, and my qualifications are a matter of record with the Federal Communications Commission, and that I am an engineer in the firm of Wes, Inc.

The attached Engineering data was prepared by or under my supervision.

All facts contained herein are true to my knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. All Exhibits were prepared by me or under my supervision. I declare under penalty of perjury that the foregoing is true and correct.



Pete E Myrl Warren, III

Executed on the 24th day of December 2001

**Engineering Statement
Ogden, Utah
Channel 54
Petition for Reconsideration
By WES, Inc. Broadcast Consultants**

On January 24th 2001 technical parameters were provided on the Rulemaking proposal for Channel 54 Ogden, Utah. These were forwarded to Nazifa Naim an Engineer in the Video Services Division at her request. This dismissal seems to be out of the ordinary considering the fact that Ms. Naim asked for them. Previously they were requested by Gordon Godfrey, also an Engineer in the Video Services Division, and the case was transferred to Ms. Naim. This is also disturbing since the precedent for submitting Rulemakings did not require submission of technical parameters at the time of filing.

Declaration Statement
Ogden, Utah
Channel 54
Proposed Rulemaking
By WES, Inc. Broadcast Consultants

I, Pete E Myrl Warren, III, declare and state that I am a Certified Broadcast Engineer, by the National Association of Radio and Television Engineers, and my qualifications are a matter of record with the Federal Communications Commission, and that I am an engineer in the firm of Wes, Inc.

The attached Engineering data was prepared by or under my supervision.

All facts contained herein are true to my knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. All Exhibits were prepared by me or under my supervision. I declare under penalty of perjury that the foregoing is true and correct.


Pete E Myrl Warren, III

Executed on the 24th day of January 2001

**Engineering Statement
Ogden, Utah
Channel 54**

**Proposed Rulemaking
by WES, Inc. Broadcast Consultants**

ERP: 5000 kW
ANTENNA: Directional
MANUFACTURER: RFS Broadcast
PATTERN: ODD981005KF
ORIENTATION: 0 degrees
AGL: 124 m
CORAGL: 115m
GAMSL: 1397 m
RCAMSL: 1512 m
HAAT: 227.13
LAT: 41-15-17-N
Lon: 112-14-13-W